


MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY

APRIL 12, 2005

FROM: CITY MANAGER



1. ROLL CALL: 5:40 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Kathleen Dunbar, Council Members Jose J. Ibarra, Carol West, Shirley Scott, Steve Leal, and Fred Ronstadt, Kathleen S. Detrick, City Clerk

STAFF MEMBERS: Mike Hein, City Manager
Mike Letcher, Deputy City Manager
Mike Rankin, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Craig Coulter, Oro Valley Church of the Nazarene, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

- a. Proclaiming April 2005 to be The Month of the Young Child.
- b. Proclaiming April 9 to April 16, 2005 to be Tucson Unite for Long-Term Tsunami Relief for Mercy Corps

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – APRIL 12-05-188</p> <p>a. Vice-Mayor Dunbar announced that today Amphi High School Freshmen participated in a variety of activities around the neighborhood. Approximately 375 students volunteered over 750 hours and 13 projects included activities from cleaning to reading to painting.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – APRIL12-05-188 (Continued from previous page)

- b. Council Member Scott reported on the Positive Aging For Women Conference held last Thursday by The Ward 4 Council Office, Supervisor Ray Carrol and Tucson Pima County Women's Commission. Also, Wednesday, April 20th at 6:30 PM at Desert Skye Middle School, the next Southeast Regional Town Hall will be held to discuss the Houghton Area Master Plan, Southeast Area Arterial Study and the Airport Environs Zone. Finally, on April 27th at Seacrist Middle School there will be a townhall regarding Fantasy Island.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS APRIL12-05-189

City Manager, Mike Hein, announced:

- a. Early voting for the May 17th Special Election begins this Thursday April 14th. Please call 884-VOTE to request a ballot.
- b. General Services has received 3 Governor's Awards for Energy Efficiency:
 - 1. "Award for Excellence" the highest award was given to the new adaptive recreation center
 - 2. Award of merit was given to both the Hardesty Midtown Multiservice Center and the LED Traffic Signal Conversion Programs.
- c. In Planning, the Tucson Community Design Academy was the focus of a session offered at the American Planning Association's 2005 National Planning Conference in San Francisco.
- d. Sun Tran and Parks and Recreation will be sponsoring a free concert series at the Ronstadt Transit Center on Fridays beginning April 14th through May 13th from 4:30 to 5:30.
- e. Finally, 7,582 passengers were transported by Sun Tran Shuttles for the Race for the Cure.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

At this time Mayor Walkup announced Item # 11 will be considered:

11. TUCSON CODE: AMENDING (CHAPTER 25), REVISIONS TO THE PEDDLERS' ORDINANCE – APRIL12-05-192

ORDINANCE NO. 10141

Council Member Leal MOVED, SECONDED by Vice-Mayor Dunbar moved to pass and adopt Ordinance No. 10141 relating to business licenses; amending Tucson Code § 7-26(3) relating to the definition of Peddlers, §§ 7-27(b)(3) and (6) relating to the operation of Peddlers on improved sites, and §§ 7-30(b) and (c) relating to separation requirements; and declaring an emergency.

Motion PASSED by a vote of 6-1 (Council Member Ronstadt dissenting).

Council Member Scott requested staff work with those peddlers who have been displaced.

CITY ATTORNEY

DIR. OF DEVELOPMENT SERVICES is responsible

5. LIQUOR LICENSE APPLICATIONS – APRIL12-05-183

WAL-MART NEIGHBORHOOD MARKET # 3357, CITY # 16-05

NONIE NEW ORLEANS BISTRO, CITY # 17-05

MARY'S DOWNTOWN FLOWER MARKET, CITY # 18-05

ARTSAKE FOUNDATION, CITY # T22-05 (Continued from Meeting of April 5, 2005)

CONGRESS STREET HISTORICAL THEATRES FOUNDATION, CITY # T28-05

TUCSON METROPOLITAN COMMUNITY CHORUS DBA DESERT VOICES, CITY # T29-05

ST. JOSEPH PARISH FIESTA, CITY # T30-05

ARIZONA LEAGUE OF CONSERVATION VOTERS, CITY # T32-05

STRENGTH BUILDING PARTNERS, CITY # T33-05

ST. CYRIL CATHOLIC CHURCH, CITY # T34-05

ARIZONA HOSPICE & PALLIATIVE CARE ORG. (AHPCO) CITY # T37-05

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

5. LIQUOR LICENSE APPLICATIONS – APRIL12-05-183 (Continued from previous page)

Council Member Ibarra MOVED, SECONDED by Council Member West to direct staff to forward these applications to the State Liquor Board with recommendations for approval.

Motion PASSED by a vote of 7 to 0.

6. C O N S E N T A G E N D A

** ITEM “E” WAS DELETED FROM THE CONSENT AGENDA **

- A. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR A DNA CAPACITY ENHANCEMENT PROGRAM – APRIL12-05-179

RESOLUTION NO. 20047

POLICE CHIEF

- B. REAL PROPERTY: ACQUISITION OF REAL PROPERTY LOCATED AT 309 WEST SIXTH STREET, 375 NORTH MAIN AVENUE, AND 433 NORTH MAIN AVENUE FROM THE ARIZONA DEPARTMENT OF TRANSPORTATION – APRIL12-05-185

RESOLUTION NO. 20048

DIR. OF GENERAL SERVICES

- C. REAL PROPERTY: ACQUISITION OF PROPERTY FOR WELL SITE EXPANSION IN THE CATALINA ISOLATED WATER SYSTEM – APRIL12-05-186

RESOLUTION NO. 20049

DIR. OF GENERAL SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

D.	LOAN REPAYMENT AGREEMENT: WITH THE ARIZONA TRANSPORTATION BOARD FOR IMPROVEMENTS TO HARRISON ROAD, SPEEDWAY BOULEVARD TO OLD SPANISH TRAIL – APRIL12-05-184 RESOLUTION NO. 20037	<u>DIR. OF FINANCE</u>
F.	ASSURANCE AGREEMENT: (S03-033) SILVERBELL VISTA, LOTS 1 TO 40 AND COMMON AREAS “A” – “L” – APRIL12-05-195 RESOLUTION NO. 20051	<u>DIR. OF DEVELOPMENT SERVICES</u>
G.	FINAL PLAT: (S03-033) SILVERBELL VISTA, LOTS 1 TO 40 AND COMMON AREAS “A” – “L” – APRIL12-05-182	<u>DIR. OF DEVELOPMENT SERVICES</u>
H.	ASSURANCE AGREEMENT: (S04-033) RITA RANCH CROSSING, LOTS 1 TO 47 AND COMMON AREAS “A”, “B”, AND “C” – APRIL12-05-194 RESOLUTION NO. 20052	<u>DIR. OF DEVELOPMENT SERVICES</u>
I.	FINAL PLAT: (S04-033) RITA RANCH CROSSING, LOTS 1 TO 47 AND COMMON AREAS “A”, “B”, AND “C” – APRIL12-05-178	<u>DIR. OF DEVELOPMENT SERVICES</u>
J.	APPROVAL OF MINUTES – APRIL12-05-196	<u>CITY CLERK</u>
K.	INTERGOVERNMENTAL AGREEMENT: TECHNICAL AMENDMENTS TO THE AGREEMENT WITH THE FOX TUCSON THEATRE FOUNDATION AND THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT REGARDING THE HISTORIC FOX THEATRE – APRIL12-05-193 RESOLUTION NO. 20053	<u>DIR. OF RIO NUEVO</u>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

Council Member West MOVED, SECONDED by Council Member Scott that items on the Consent Agenda (Except "E") be approved and/or adopted and proper action taken.

Motion PASSED by a vote of 7 to 0.

E. REAL PROPERTY: AUTHORIZATION TO ACQUIRE PROPERTY LOCATED ON THE WEST SIDE OF GRANADA AVENUE, SOUTH OF CONGRESS STREET, FROM NOR-GEN LAND TRUST – APRIL12-05-187

RESOLUTION NO. 20050

Council Member Ronstadt MOVED, SECONDED by Council Member West to authorize staff to proceed to acquire Nor-Gen property through good faith negotiations and if no resolution is reached within 60 days, authorization to acquire the property through eminent domain shall be placed on the Consent agenda for immediate action. In addition, staff should provide the Mayor and Council with weekly updates, by memorandum, on the status of the negotiations. It is further directed, that City Manager Mike Hein should lead the negotiations with all documents and actions necessary to carry out the direction shall be completed within the next 60 days, and a representative from Ward 6 shall observe each meeting.

Motion PASSED by a vote of 7 to 0.

DIR. OF RIO NUEVO

7. CALL TO THE AUDIENCE

- a. Bruce Garowitz addressed the Mayor and Council in opposition to the Peddlers' Ordinance.
- b. Michael Toney addressed the Mayor and Council regarding several issues including: Arizona Revised Statutes on State Trust Land conservation; Rio Nuevo projects; Regional Transportation Authority widening of Speedway, and the Peddlers' Ordinance.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. CALL TO THE AUDIENCE (Continued from previous page)

- c. Steven Wind addressed the Mayor and Council in opposition to the Peddler's Ordinance; specifically how it impacts the Fourth Ave Street Fair and the Gem and Mineral Show

Council Member Ibarra requested staff take a look at the issue and respond to Mr. Wind.

- d. Linda Bohlke addressed the Mayor and Council in opposition to a lack of sanitary facilities for Tucson Water field workers.
- e. Roy Thatcher addressed the Mayor and Council in opposition to a lack of sanitary facilities for Tucson Water field workers.
- f. Steve Valencia addressed the Mayor and Council in opposition to a lack of sanitary facilities for Tucson Water field workers and requested consideration be given to a crosswalk at 18th and Osborne, better communications equipment for field workers, and the availability of standby vehicles.
- g. Jesus Gonzales addressed the Mayor and Council in opposition to a lack of sanitary facilities for Tucson Water field workers.
- h. Janet Serrell addressed the Mayor and Council in opposition to a lack of sanitary facilities for Tucson Water field workers.

DIR. OF DEVELOPMENT SERVICES is responsible

8. PUBLIC HEARING: TUCSON CODE AMENDING (CHAPTER 6), ADOPTION OF LOCAL SWIMMING POOL AMENDMENTS TO THE 2003 INTERNATIONAL BUILDING AND RESIDENTIAL CODES (CONTINUED FROM THE MEETING OF MARCH 22, 2005) – APRIL 12-05-191

ORDINANCE NO. 10142

Council Member Ronstadt MOVED, SECONDED by Council Member West to close the public hearing.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. PUBLIC HEARING: TUCSON CODE AMENDING (CHAPTER 6), ADOPTION OF LOCAL SWIMMING POOL AMENDMENTS TO THE 2003 INTERNATIONAL BUILDING AND RESIDENTIAL CODES (CONTINUED FROM THE MEETING OF MARCH 22, 2005) APRIL12-05-191 (Continued from previous page)

Council Member Scott MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 10142.

Motion PASSED by a vote of 7 to 0.

9. PUBLIC HEARING: TUCSON CODE AMENDING (CHAPTER 25), ESTABLISHING THE TRAFFIC MANAGEMENT FOR TEMPORARY WORK ZONES PROGRAM – APRIL12-05-180

ORDINANCE NO. 10140

Council Member Ronstadt MOVED, SECONDED by Council Member West to close the public hearing.

Motion PASSED by a vote of 7 to 0.

Council Member Leal MOVED, SECONDED by Council Member Scott moved to pass and adopt Ordinance No. 10140 relating to streets and sidewalks; establishing a Temporary Work Zone Traffic Management Program; amending Tucson Code by amending Section 25-24 thereof and by adding a new Article V to Chapter 25 thereof entitled Temporary Work Zone Traffic Management; and setting the effective date of May 15, 2005. Additionally, there shall be a review in August 2005.

Motion PASSED by a vote of 7 to 0.

DIR. OF TRANSPORTATION

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

10. PUBLIC HEARING: SEWELL-HUDLOW NEIGHBORHOOD PLAN AMENDMENT, WILMOT ROAD AND HAWTHORNE STREET – APRIL12-05-181

RESOLUTION NO. 20046

Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Dunbar to close the public hearing.

Motion PASSED by a vote of 7 to 0.

Council Member Ronstadt MOVED, SECONDED by Council Member Leal to pass and adopt Resolution No. 20046 relating to planning and zoning; amending the Sewell-Hudlow Neighborhood Plan to convert a single-family residential use to a residentially scaled office use at the northwest corner of Wilmot Road and Hawthorne Street.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN
PLANNING & DESIGN

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – APRIL12-05-190

*Vice-Mayor Dunbar MOVED, SECONDED by Council Member Leal to appoint Judy Burns, Margot Garcia, Raj Kohli, Daniel Samorano, John Sedwick and Ron Wilcox to the Environmental Services Advisory Committee.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

13. ADJOURNMENT: 7:30 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, April 19, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

* **REVISION**